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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/822,189	04/02/2001	Akio Saito	35.C15267	7310

5514 7590 08/14/2003

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EXAMINER

TRAN, TRANG U

ART UNIT	PAPER NUMBER
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2614

DATE MAILED: 08/14/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/822,189

Applicant(s)

SAITO, AKIO

Examiner

Trang U. Tran

Art Unit

2614

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s) \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

**DETAILED ACTION**

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-15 and 19-24 are rejected under 35 U.S.C. 102(e) as being anticipated by Satterfield et al. (US Patent No. 6,564,378 B1).

In considering claim 1, Satterfield et al. discloses all the claimed subject matter, note 1) the claimed input means for inputting image data and program information data, the program information data indicating information relating to a program including the image data is met by the set-top box 44 which receives multiple television and audio channels (analog, digital, or both analog and digital) on communication paths 42 (Fig. 3, col. 5, lines 6-52), 2) the claimed display means for displaying an image corresponding to the image data input from said input means is met by the television 48 (Fig. 3, col. 5, line 61 to col. 6, line 3), and control means responsive to a change in a program including images displayed by said display means for controlling said display means to display program information relating to the program information data of the changed program and the images on a same screen is met by Fig. 8, at the same time, the program in video window 76 is replaced with the program for channel 18, matching the

program highlighted by highlight region 80 and thereby synchronizing video window 76, the program description 78 and highlight region 80 (Figs. 7 and 8, col. 7, lines 3-65).

In considering claim 2, the claimed wherein the image data is data transmitted by digital television broadcasting is met by the set-top box 44 that receives multiple television and audio channels (analog, digital, or both analog and digital) on communication paths 42 (Fig. 3, col. 5, lines 6-52).

In considering claim 3, the claimed wherein said input means includes: reception means for receiving transport stream data transmitted by the digital television broadcasting, and deriving means for deriving the image data from the transport stream data received by said reception means is met by the set-top box 44 which receives multiple television and audio channels (analog, digital, or both analog and digital) on communication paths 42 and displayed on television 48 (Fig. 3, col. 5, lines 6-63).

In considering claim 4, the claimed wherein the program information data is EPG data transmitted by digital television broadcasting is met by the program guide information data (Fig. 3, col. 4, line 39 to col. 5, line 23).

In considering claim 5, the claimed wherein said input means includes: reception means for receiving transport stream data transmitted by the digital television broadcasting; and deriving means for deriving the image data from the EPG data received by said reception means is met by the set-top box 44 which receives multiple television and audio channels (analog, digital, or both analog and digital) on communication paths 42 (Fig. 3, col. 5, lines 6-52).

In considering claim 6, the claimed further comprising a memory unit for storing the EPG data derived by said deriving means, wherein said control means responsive to a change in a program including images displayed by said display means derives the program information data of the changed program from the EPG data stored in said memory unit is met by the set-top box that inherently includes a memory unit for storing the EPG data (Fig. 3, col. 5, lines 6-52).

In considering claim 7, the claimed further comprising manual setting means for setting contents of program information to be displayed by said display means, wherein said control means derives the program information data from the EPG data in accordance with the contents of the program information set by said manual setting means is met by television program listings data and the user can select to view television program listings (col. 4, line 54 to col. 5, line 5).

In considering claim 8, the claimed wherein said control means controls said display means to display at least one of a channel number, a program name, program contents, and program detailed contents, as the program information of the changed program is met by the program description information 78 which is immediate updated to displayed information for the currently highlighted program (Figs. 8 and 11, col. 7, lines 3-65).

In considering claim 9, the claimed further comprising manual setting means for setting contents of program information to be displayed by said display means is met by television program listings data (col. 4, line 54 to col. 5, line 5).

In considering claim 10, the claimed wherein said manual setting means sets at least one of a display timing of the program information, a display area, a display character size, a display method, a display speed, the number of display repetitions, and display contents is met by television program listings data (col. 4, line 54 to col. 5, line 5).

In considering claim 11, the claimed further comprising change instructing means for instructing to change a program including images displayed by said display means from a first program to a second program, wherein said control means controls said display means to display the program information of the second program and images of the second program on the same screen is met by steps 102 and 108 for allowing user to reposition highlight region on a program listing for a channel other than the current channel by scrolling with cursor and page keys while continuous to display program for current channel in video window (Fig. 12, col. 9, lines 12-34).

In considering claim 12, the claimed wherein in response to a program change instruction of said change instructing means, said control means controls said display means to inhibit a display of the program information of the first program and display the program information of the second program is met by steps 102 and 108 for allowing user to reposition highlight region on a program listing for a channel other than the current channel by scrolling with cursor and page keys while continuous to display program for current channel in video window (Fig. 12, col. 9, lines 12-34).

In considering claim 13, the claimed wherein in response to a start of a program broadcast next to the program including images displayed by said display means, said

control means controls said display means to display the program information of the next program and images of the next program on the same screen is met by steps 102 and 110 for allowing user to reposition highlight region on a program listing for a channel other than the current channel by scrolling with cursor and page keys while continuous to display program for current channel in video window and the user presses up and down channel key 52 (Fig. 12, col. 9, lines 12-40).

In considering claim 14, the claimed wherein in response to the start of the next program, said control means controls said display means to inhibit a display of the program information of the program and display the program information of the next program is met by steps 102 and 110 for allowing user to reposition highlight region on a program listing for a channel other than the current channel by scrolling with cursor and page keys while continuous to display program for current channel in video window and the user presses up and down channel key 52 (Fig. 12, col. 9, lines 12-40).

In considering claim 15, the claimed wherein in response to a turn-on of a power supply of the apparatus, said control means controls said display means to display the program information of the program including images displayed by said display means and the images on the same screen is met by step 98 (Fig. 12, col. 8, line 66 to col. 9, line 11).

In considering claim 19, the claimed wherein the image data input by said input means includes image data of the images of the program and image data of commercial images inserted in the program, and in response to a change of the program including images displayed by said display means, said control means controls said display

means to display the program information on the program information data of the changed program and the commercial images on the same screen is met by the program description information 78 which is immediate updated to displayed information for the currently highlighted program and program information may include advertising information and pay program data such as pricing information for individual programs and subscription channels, etc. (Figs. 8 and 11, col. 4, line 58 to col. 5, line 5 and col. 7, lines 3-65).

Claim 20 is rejected for the same reason as discussed in claim 1.

Claim 21 is rejected for the same reason as discussed in claim 1.

Claim 22 is rejected for the same reason as discussed in claim 1.

Claim 23 is rejected for the same reason as discussed in claim 1.

Claim 24 is rejected for the same reason as discussed in claim 1.

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 16-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Satterfield et al. (US Patent No. 6,564,378 B1) in view of Lee (US Pub. No. 2002/0010926 A1).

In considering claim 16, Satterfield et al disclose all the limitations of the instant invention as discussed in claim 1 above, except for providing the claimed wherein in



response to a broadcast end of the program including images displayed by said display means, said control means controls said display means to display program information of a next program to be broadcast. Lee teaches that the program progress time is displayed when the time from the current time of the program to the terminating time thereof is equal to the preset time and the program process time is set to be displayed, besides, at this time, the next program progress information is displayed when the next program is set to be displayed (Fig. 5, col. 3, [0039]-[0040]). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the control means controls said display means to display program information of a next program to be broadcast as taught by Lee into Satterfield et al's system in order to provide a method and device capable of directly displaying the program progress time information about the currently viewed program on the screen immediately upon request.

In considering claim 17, the claimed wherein in response to the broadcast end of the program, said control means controls said display means to inhibit a display of the program information of the program and display the program information of the next program is met by Fig. 5, page 3, [0039]-[0040] of Lee.

In considering claim 18, Satterfield et al disclose all the limitations of the instant invention as discussed in claim 1 above, except for providing the claimed the claimed wherein in response to a lapse of a predetermined time from when a display of the program information is displayed, said control means controls said display means to finish a display of the program information. Lee teaches that after displaying the

program progress time information, the microprocessor 124 performs steps 160-162, determining whether a specified time interval has elapsed in step 160, and closing the display window of the program progress time information after the specified time interval has elapsed in step 162 (Fig. 4, page 2, [0033]). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the control means controls said display means to finish a display of the program information as taught by Lee into Satterfield et al's system in order to provide a method and device capable of directly displaying the program progress time information about the currently viewed program on the screen immediately upon request.

### ***Conclusion***

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Smith (US Patent No. 6,563,547 B1) discloses system and method for displaying a television picture within another displayed image.

Park et al. (US Patent No. 6,590,618 B1) disclose method and apparatus for changing the channel or varying the volume level in a television receiver having a double-screen mode function.

Schein et al. (US Patent No. 6,412,110 B1) disclose electronic program guide with interactive areas.

Yuen et al. (US Patent No. 6,239,794 B1) disclose method and system for simultaneously displaying a television program and information about the program.

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6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Trang U. Tran** whose telephone number is **(703) 305-0090**.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **John W. Miller**, can be reached at **(703) 305-4795**.

**Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks

Washington, D.C. 20231

**or faxed to:**

**(703) 872-9314 (for Technology Center 2600 only)**

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is **(703) 306-0377**.

TT TT  
August 6, 2003

  
MICHAEL H. LEE  
PRIMARY EXAMINER